

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN THE MATTER OF:)
United States of America,) Case No: 2:24-mj-316
v.)
Andrew Bryan John Pierce)
72491 Flushing Holloway Road) MAGISTRATE JUDGE: Deavers
Flushing, Ohio 43977)

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Andrew D. McCabe, a Special Agent with the Federal Bureau of Investigation (FBI), being duly sworn, hereby depose and state:

INTRODUCTION

1. I, Special Agent Andrew McCabe (your affiant), make this affidavit in support of a criminal complaint to arrest Andrew Bryan John **PIERCE** for violations of Title 18 United States Code §§ 2251, 2252, and 2252A – the sexual exploitation of a minor and the distribution, receipt, and/or possession of child pornography. The statements contained in this affidavit are based in part on information and analysis provided by law enforcement agents; written reports about this and other investigations that I have received, and your affiant's personal knowledge and finding during the investigation. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant your affiant did not include each and every fact known concerning this investigation. Your affiant did not withhold any information or evidence that would negate probable cause. Your affiant set forth only the facts that are believed to be necessary to establish probable cause that **PIERCE** committed the violations listed above.
2. Your affiant has been an FBI Special Agent since September 2010, and I have been assigned to the Cincinnati Division since January 2020. During my tenure as an FBI Special Agent, I have investigated numerous crimes including, but not limited to, bank robbery, drug trafficking, racketeering, kidnapping, violent extremism, and crimes against children. As a Special Agent I have participated in various investigations involving computer-related offenses and have executed search warrants, including those involving searches and seizures of computers, digital media, software, and electronically stored information. As a SA, I am authorized to investigate violations of the laws of the United States under the authority of the United States.

FACTS SUPPORTING PROBABLE CAUSE

3. On or about December 8, 2023, a CyberTipline report was submitted to the National Center for Exploited Children (NCMEC) by Dropbox, Inc. regarding the uploading of child pornography to the Dropbox account associated with Screen/User Name A.P. and email account andrewpierce802@gmail. According to the information that was provided by

Dropbox, on November 13, 2023, three separate files depicting child pornography were uploaded via the “Andrew Pierce” Dropbox account. The CyberTipline report indicated all three files were identified using the MD5 hash matching method¹. Copies of the child pornography files were included with the CyberTipline report along with information pertaining to the IP address utilized to access the account at the time the suspect files were uploaded. For example, one video which depicted a prepubescent girl dancing around, pulling up her shirt to just below her breast area and pulling down her shorts to just the top of her buttocks. Another video depicted a prepubescent girl posing in provocative positions, taking off her shorts, then underwear and eventually spreading her legs open and exposing her bare vagina to the camera before pulling apart her labia to expose her vaginal opening.

4. Additionally, Dropbox identified the IP address 2601:548:8380:980:507f:ae34:4782:d242 as being used to log into the Dropbox account on November 14, 2023 which was within 24 hours of when the child pornography had been uploaded into the account.
5. Law enforcement served legal process to Comcast, the service provider that the above noted IP address resolved to. In December 2023, in response to that request, Comcast identified the subscriber of IP address 2601:548:8380:980:507f:ae34:4782:d242 as Roxane Pierce, with a service address of 72491 Flushing Holloway Road, Flushing, Ohio, which is located in Belmont County in the Southern District of Ohio.
6. During the investigation, BCSO learned that seven minor children resided in the residence at 72491 Flushing Holloway Road. On or about December 28, 2023, law enforcement with BCSO executed a state search warrant that had been issued by the Belmont County Court, Western Division. The warrant was for the residence of 72491 Flushing Holloway Road, Flushing, Ohio and, more specifically, authorized the search of the residence and other structures on the property and the seizure of all electronic devices present to include cellular telephones. This included item having access to the internet service provided at the above-listed IP address.
7. During the search warrant execution, law enforcement seized a total of sixteen devices which are generally described here: one 1) Samsung Galaxy S22 Ultra Cellular Telephone IMEI 355796467592667; 2) LG Stylo 5 Cellular Telephone IMEI 355692106402741; 3) Black Samsung Galaxy A02S IMEI 350207636648641; 4) Black Samsung Galaxy S21 IMEI 355502299080933; 5) Motorola model XT2005DL Cellphone IMEI 352180101146540; 6) Silver LG Cellular Telephone with blue tape on the rear of the phone; 7) Toshiba Harddrive serial number 6152T0K3TLTH; 8) Red HP Laptop Computer serial number CN0049SJY2; 9) Black HP Model 14-cb174wm Laptop Computer serial number 5CD036CZY; 10) Blue ONN Tablet bearing Belmont County Sheriff’s Office Evidence Tag Item Number 5; 11) Blue ONN Tablet bearing Belmont County Sheriff’s Office Evidence Tag Item Number 7; 12) Black 32gb SanDisk USB flash drive; 13) Black 64gb ONN USB 2 flash drive; 14) 512gb

¹ A hash value is “an algorithmic calculation that yields an alphanumeric value for a file.” *United States v. Stevenson*, 727 F.3d 826, 828 (8th Cir. 2013). Hash values have been referred to as a “unique digital fingerprint,” *United States v. Sosa-Pintor*, 741 Fed. Appx. 207 (5th Cir. 2018), and are “regularly used to compare the contents of two files against each other.” *United States v. Reddick*, 900 F.3d 636, 637 (5th Cir. 2018). Because only two identical files will return the same hash value, both law enforcement and private cloud storage companies use hash matching to identify and attempt to thwart the spread of child pornography material on the internet. *Id.* at 637-638.

PNY Elite-X micro SD card.

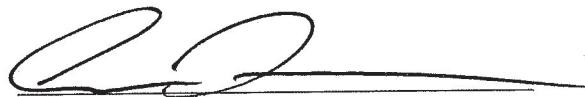
8. At the time the search warrant was executed at the Flushing Holloway Road residence, law enforcement with BCSO conducted a noncustodial interview with **PIERCE**. Prior to beginning the interview law enforcement officers advised **PIERCE** of his Miranda Rights. During the interview **PIERCE** admitted to being the user of “andrewpierce802@gmail” account. **PIERCE** also admitted to using DropBox but stated he hadn’t used it for over a year. Later in the interview **PIERCE** admitted to having viewed nude images of minors while using the Telegram application on his cellular telephone.
9. On or about April 23, 2024, a federal search warrant was obtained seeking to seize all digital media devices seized by BCSO and keep them in federal custody with the FBI for forensic extractions and analysis. Shortly thereafter, forensic imaging on the devices began.
10. On or about June 12, 2024, a preliminary forensic examination of the Galaxy S22 Ultra, IMEI 355796467592667, belonging to **PIERCE** resulted in the recovery of an archived Telegram chat between **PIERCE** and Telegram user @REDACTED², herein after identified as LL, beginning on May 18, 2023 7:14 PM. In that chat, **PIERCE** asked LL if they had “any pics.” That conversation continued on May 21, 2023 10:30 AM during which, LL distributed to **PIERCE** a total of eight images depicting prepubescent child pornography. For example, one image depicted a young prepubescent girl wearing a dark pink shirt with a penguin and snowflake pattern and nude from the waist down, laying on a bed facing away from the camera. The camera was focused on her nude vagina and anus. An emoji was covering the girl's face. Another second image depicted a young prepubescent girl, approximately 4-7 years old, wearing only a yellow and white pattern underwear, on her hands and knees facing away from the camera. Her underwear was pulled down and her nude vagina was exposed. A timestamp on the bottom right of the image stated “09.07.20”. In response to receiving these, **PIERCE** sent the following messages:

PIERCE: Any more
PIERCE: Sorry

And again, the conversation continued on where, on or about June 6, 2023 9:14 AM, **PIERCE** again asked LL if they had “Any other.”

CONCLUSION

11. Based upon the above information, your affiant submits there is probable cause to believe Andrew Bryan John **PIERCE** has committed violations of Title 18 U.S.C. §§ 2251, 2252, and 2252A – the sexual exploitation of a minor, distribution, receipt, and/or possession of child pornography. Therefore, your affiant respectfully requests this court to issue a criminal complaint and arrest warrant.

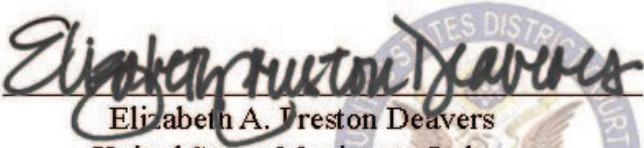


Andrew D. McCabe

² The full username of the individual **PIERCE** was communicating with is known to law enforcement but has been redacted for purposes of protecting the investigation at this time.

Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me this 14th day of June, 2024.


Elizabeth A. Preston Deavers
United States Magistrate Judge
